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6 UNITED STATES DISTRICT COURT
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8 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO/OAKLAND
9 DIVISION

10 JANE ROE, an individual; MARY ROE,
11 an individual; SUSAN ROE, an
12 individual; JOHN ROE, an individual;
13 BARBARA ROE, an individual;
14 PHOENIX HOTEL SF, LLC, a
15 California limited liability company;
16 FUNKY FUN, LLC, a California limited
17 liability company; and 2930 EL
18 CAMINO, LLC, a California limited
19 liability company,

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Plaintiffs,

v.

CITY AND COUNTY OF SAN
FRANCISCO, a California public entity,

Defendants.

Case No. 4:24-cv-01562-JST-RMI

**STIPULATION AND [PROPOSED]
ORDER**

1 The undersigned parties stipulate as follows:

2 Magistrate Judge Robert M. Illman held a discovery hearing on October 28,
3 2025, and ruled that plaintiffs could depose third-party witnesses Joe Wilson and Dr.
4 Tyler TerMeer, but that such depositions be conducted remotely and be limited in
5 time to two hours or less.

6 Magistrate Judge Illman also ordered plaintiffs' counsel to obtain dates that
7 these third party witnesses and their counsel would be available for deposition.
8 Magistrate Judge Robert M. Illman also ordered the parties to meet-and-confer and
9 propose a deadline by which the depositions were to occur, and to submit a report
10 and proposed stipulation to his court by October 30, 2025.

11 Plaintiffs' counsel conferred with counsel for the third-party witnesses. The
12 deposition of Joe Wilson is scheduled to occur starting at 10 a.m. on November 14,
13 2025. Plaintiffs' counsel is waiting to hear back from counsel for Dr. TerMeer about
14 his availability on November 13, or the afternoon of November 14. Counsel for
15 defendant City and County of San Francisco is available on these dates. The parties
16 therefore stipulate that these depositions can occur on those dates.

17 Plaintiffs intend to submit an administrative motion to the Judge Jon S. Tigar
18 asking the Court to adjust the briefing schedule on their motion for a preliminary
19 injunction, currently set forth in EF No. 110. The parties have met-and-conferred on
20 that schedule. Plaintiffs will propose that their reply brief (currently due on
21 November 7, 2025) be due on November 21, 2025, and that the City's sur-reply
22 (currently be due on November 21, 2025) be due on December 12, 2025. Defendant
23 intends to oppose the motion.

24 SO STIPULATED.
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1 Dated: October 30, 2025

WALKUP, MELODIA, KELLY & SCHOENBERGER

2
3 By: /S/ Matthew D. Davis

4 MATTHEW D. DAVIS

Attorneys for ALL PLAINTIFFS

5
6 Dated: October 30, 2025

7 DAVID CHIU

8 CITY ATTORNEY

9 YVONNE R. MERÉ

CHIEF DEPUTY CITY ATTORNEY

10 TARA M. STEELEY

11 JOHN H. GEORGE

KAITLYN M. MURPHY

12 SABRINA M. BERDUX

13 ABIGAIL H. WALD

14 Deputy City Attorneys

15 By: /S/ Kaitlyn Murphy

16 KAITLYN MURPHY

17 Attorneys for Defendant

CITY AND COUNTY OF SAN FRANCISCO

18 ***Pursuant to L.R. 5-1(h)(3), the electronic*
19 *signatory attests that each of the other*
20 *Signatories have concurred in the filing of this*
21 *document.*

22 IT IS SO ORDERED.

23 Dated: _____

24 MAGISTRATE JUDGE ROBER M. ILLMAN

PROOF OF SERVICE

**Jane Roe, et al. v. City and County of San Francisco, et al.
USDC-Northern California Case No. 4:24-cv-01562-JST**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the county where the mailing took place, My business address is 650 California Street, 26th Floor, City and County of San Francisco, CA 94108-2615.

On the date set forth below, I caused to be served true copies of the following document(s) described as

STIPULATION AND [PROPOSED] ORDER

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2 **BY CM/ECF NOTICE OF ELECTRONIC FILING:** I electronically filed the
3 document(s) with the Clerk of the Court by using the CM/ECF system. Participants
4 in the case who are registered CM/ECF users will be served by the CM/ECF system.
Participants in the case who are not registered CM/ECF users will be served by mail
or by other means permitted by the court rules.

5 I declare under penalty of perjury under the laws of the United States of
6 America that the foregoing is true and correct and that I am employed in the office of
a member of the bar of this Court at whose direction the service was made.

7 Executed on October 30, 2025, at San Francisco, California.

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Kirsten Benzien